GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants — Allegation of corruption against Sri BandiAkkeswara Rao, Senior Accountant, O/o Sub Treasury Officer, Chirala, Prakasam District- Trapped on 06-07-15— Sanction of Prosecution — Orders — Issued.

FINANCE (ADMN.I) DEPARTMENT

G.O.MS.No. 29 **Dated: 27-02-2016**

ORDER:-

Whereas Sri BandiAkkeswara Rao, worked as Senior Accountant, O/o Sub Treasury Officer, Chirala, Prakasam District, from 16-07-2012 to 06-07-2015 by virtue of the post held by him under the category of a Public Servant as defined Under Section 2 (c) of P.C. Act, 1988.

2. And whereas on 04-07-2015 at 11-00 AM, Sri Garika Vinod Kumar, S/o late SankaraRao, Paparajuthota, near Swarna Railway gate, Chirala, Prakasam District came to O/o DSP, ACB, Ongole and presented a written report stating that he is practicing as an Advocate at Chirala. His late father namely Sankara Rao worked as a Watchman of the Govt. Boys Hostel, Inkollu and during 2011 he suffered from Paralysis and his body movements were also disabled owing to which the Government treated him as "medically invalidation" and declared him to have retired from service on 27.11.2013. In lieu of his father, his brother G. Rajesh was appointed as Junior Assistant, in Social Welfare Department by the Government. After the retirement of his father, they applied for 24 years special grade increment along with pension proposals. The Social Welfare Department had sent his father's 24 years increment proposals to STO, Chirala. Ever since Sri Akkeswara Rao, Senior Accountant, O/o STO, Chirala had kept the file with him saying that the DTO, Ongole had passed certain remarks on the proposals which needs to be complied with and for which he needs to shell out money and he was made to go around his office. On one occasion Akkeswara Rao demanded Rs.10,000/- to accomplish the work threatening that it would not be completed otherwise. He was not interested in paying bribe to Sri B. Akkeswara Rao at that juncture. In 2014, before demise his father underwent treatment for multiple ailments for which they incurred about Rs.2,40,000/-. His mother Samrajyamhad applied to the Social Welfare Department for medical reimbursement of the amount incurred towards the treatment of his father and in the recent past, the Social Welfare Department sanctioned an amount of Rs.1,33,000/- and odd towards medical reimbursement. On 3-7-2015, he approached Sri B. Akkeswara Rao on behalf of his mother with the medical reimbursement bill of his father along with proceedings and requested Sri B. Akkeswara Rao to see that the bill amount is credited into his mother's account at an early date. He also urged Sri B. Akkeswara Rao to complete the 24 years increment work of his father and see that they receive that amount also. At that time Sri B. Akkeswara Rao uttered that things will not be done freely and that he need to pay Rs.10,000/- as bribe towards 24 years increment work as demanded earlier and Rs.10,000/- for the processing of medical reimbursement bills of his father. Sri B. Akkeswara Rao emphasized that his work will only be completed, if he pays the demanded bribe amount of Rs.20,000/-. When he said that they cannot afford that much amount, then Sri B. Akkeswara Rao reduced the bribe amount to Rs.18,000/- and on further bargaining he reduced to Rs.16,000/-. Having no other go, he is unwillingly agreed to pay the demanded bribe. When Sri B. Akkeswara Rao asked him to pay the amount immediately, he said that he was running short of money and would pay the demanded bribe amount after the realization of his father's medical. reimbursement bill. He also requested Sri B.Akkeswara Rao to ensure that the medical reimbursement bill amount was credited into the account of his mother on the same day for which Sri B. Akkeswarao obliged and demanded initial payment of Rs.10,000/- of the total bribe amount i.e., 16,000/- within 3 to 4 days by meeting him in his office. Sri B. Akkeswara Rao also assured that he will complete the 24 years increment work and send it to DTO if he pays Rs.10,000/- and the remaining Rs.6,000/- could be given after the medical reimbursement bill is drawn. He agreed for the same and later went home and informed his mother about the demand of bribe amount by Sri B. Akkeswara Rao. She too was unwilling to offer the bribe amount and later they both discussed in this regard and preferred to lodge a complaint with ACB against Sri B. Akkeswara Rao and hence approached the DSP, ACB, Ongole on 04-07-2015.

3) And whereas after due verification of the report, on 06-07-2015 the DSP, A.C.B, Ongole registered a case in Cr.No.4/RCT-OGL/2015 U/s 7 of the P.C. Act, 1988 of ACB, Prakasam District, Ongole and took up investigation. On 06-07-15 from 1-15 PM to 2-30PM, the DSP, ACB, Ongole conducted pre-trap proceedings in his office in the presence of two mediators, Inspector, Staff and Sri Garika VG.Vinod Kumar. All the required procedural formalities to be observed were complied with.

4) And whereas on 06-07-2015 at 5-32 PM, B.AkkeswaraRao,Senior Accountant, was caught red handed when he further demanded and accepted the bribe amount of Rs.5,000/- from Garike Vinod Kumar at Plot form No.1 of Chirala Railway Junction.When Sri G.Vinod Kumar met Sri B.Akkeswara Rao at Plot form No.1 of Chirala Railway Station, after confirming about the complainant brought to Rs. 10,000/- as per his earlier demand. Sri B.Akkeswara Rao, asked him to give Rs.5,000/- and keep the balance amount of Rs.5,000/- with him to purchase one item, which will be informed within one or two days. On GarikaG.VinodKumar,paid the tainted amount of Sri B.Akkeswara Rao, received the bribe amount with his left hand and kept the same in the left side hip pocket of his trousers. Sodium carbonate test conducted on both hand fingers of Sri B.Akkeswara Rao, left hand fingers of Sri B.Akkewara Rao yielded positive result. The tainted amount of Rs.5000/- was recovered from the left side hip pocket of his trousers and it was seized by the DSP. The numbers when compared that of the numbers noted in Mediators Report —1 and found tallied. The Inner linings of the left side hip pocket of his trousers of Sri B.Akkeswara Rao, when subjected to Sodium Carbonate Solution test yielded positive result and the trouser was also seized. The DSP secured the documents pertaining to pending official favour. The DSP seized the remaining tainted amount of Rs. 5,000/- from Sri G. Vinod Kumar.

5) And whereas the acts of Sri BandiAkkeswara Rao, Senior Accountant, O/o Sub Treasury Officer, Chirala, Prakasam District, Constitute Offence Punishable Under Section 7 &13(2), r/w 13(1)(d) of P.C. Act, 1988.

6) And whereas the Government of Andhra Pradesh, being the competent authority to remove the said Sri BandiAkkeswara Rao, Senior Accountant, O/o Sub Treasury Officer, Chirala, Prakasam District after fully and carefully examining the material i.e., copies of FIR, Final Report, copies of the Mediators Reports, statements of the witnesses and otherdocuments placed before me in respect of the aforesaid allegation and having regard to the circumstances of the case consider that the above said Sri BandiAkkeswara Rao, Senior Accountant, O/o Sub Treasury Officer, Chirala, Prakasam District should be prosecuted in the court of competent jurisdiction.

7) Now, therefore in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the P.C. Act, 1988, the Government of Andhra Pradesh, sanction is hereby accorded for the prosecution of the said Sri BandiAkkeswara Rao, Senior Accountant, O/o Sub Treasury Officer, Chirala, Prakasam District, for the Offences Punishable Under Section 7 & 13(2), r/w 13(1)(d) of P.C. Act, 1988 and for any other cognate Offences Punishable under any other provisions of law for the time being force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUDDADA RAVI CHANDRA
SECRETARY TO GOVERNMENT(Expr)

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad-34